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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/054,522      | 01/22/2002  | Chase T. Tingley     | CRESC-010XX         | 5980             |

7590 05/18/2006

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EXAMINER

TAYLOR, NICHOLAS R

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2141

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |  |  |  |
|--|--|--|--|
| <p align="center"><b>Office Action Summary</b></p> | <p>Application No.</p> <p align="center">10/054,522</p>  | <p>Applicant(s)</p> <p align="center">TINGLEY ET AL.</p> |  |
|  | <p>Examiner</p> <p align="center">Nicholas R. Taylor</p> | <p>Art Unit</p> <p align="center">2141</p>               |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 1-15 have been presented for examination and are rejected.

### ***Response to Arguments***

2. Applicant's arguments filed February 22nd, 2006 with respect to the claims have been considered but are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Dobbins et al. (U.S. Patent 6,711,171).

5. As per claims 1, 8, and 15, Dobbins teaches a method for identifying a physical address associated with a virtual address, wherein said physical address is associated with a network interface of a network device, wherein said virtual address is also

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associated with said network device (Dobbins, column 8, lines 55-65; column 9, lines 11-27), comprising:

forming a request message at a first virtual networking device, said request message including said virtual address and a virtual network identifier value, (Dobbins, column 12, lines 55-66)

wherein said virtual network identifier value is stored in a field within a header of said request message separate from said virtual address, said virtual network identifier value associated with a first virtual network, said virtual network having a private address space including said virtual address; (Dobbins, column 10, lines 6-44; also column 12, lines 41-65, e.g. the VLAN-ID of ES1 present in ES1 and S1 traffic)

transmitting said request message over a communication link to a second virtual network device of a second virtual network; (Dobbins, column 12, line 66 to column 13, line 8)

receiving a response to said request message at the first virtual network, said response including said physical address associated with said network interface of said network device; storing said physical address of said network device associated with said virtual address in an entry in a data structure, wherein said entry further includes said virtual network identifier and said virtual address; and (Dobbins, column 13, lines 7-16, wherein the target responds with VLAN, MAC, etc. information; column 13, lines 27-32)

translating IP addresses associated with the first virtual network to Ethernet/MAC addresses associated with the second virtual network with an address resolution table

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generated and maintained by the first virtual network device (Dobbins, column 17, lines 6-31; see also column 10, lines 6-44).

6. As per claims 2 and 9, Dobbins teaches the system further wherein said response to said request message includes said virtual address, and further comprising:

determining, in response to header information in said response to said request message, a virtual network number identifying said virtual network; and identifying said entry in said data structure in response to said virtual network number and said virtual address (Dobbins, column 13, lines 27-32; column 10, lines 6-44; e.g. using the process of column 17, lines 6-31; see also Fig 7a).

7. As per claims 3 and 10, Dobbins teaches the system further comprising:

receiving a subsequent packet; determining a virtual network number associated with said subsequent packet; comparing said virtual network number associated with said subsequent packet to said virtual network number identifying said virtual network; determining a destination address of said subsequent packet; comparing said destination address of said subsequent packet with said virtual address; and (Dobbins, column 17, lines 6-24)

forwarding said subsequent packet based on information contained in said entry in said data structure in the event that said virtual network number associated with said subsequent packet matches said virtual network number identifying said virtual network

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and said destination address of said subsequent packet matches said virtual address (Dobbins, column 17, lines 25-32).

8. As per claims 4 and 11, Dobbins teaches the system further comprising:

selecting, responsive to said virtual network number, a virtual router from a plurality of virtual routers; and wherein said forwarding of said packet is performed in response to said virtual router (Dobbins, column 17, lines 25-54).

9. As per claims 5 and 12, Dobbins teaches the system further comprising:

selecting, responsive to receipt of said subsequent packet, a protocol task associated with a predetermined routing protocol; and wherein said forwarding of said packet is performed in response to said protocol task and said virtual router (Dobbins, column 17, lines 25-54).

10. As per claims 6 and 13, Dobbins teaches the system further wherein said virtual address is a network layer address (Dobbins, column 10, lines 6-44).

11. As per claim 7, Dobbins teaches the system further wherein said virtual address is a virtual Internet Protocol (IP) address (Dobbins, column 10, lines 6-44).

12. As per claim 14, Dobbins teaches the system further wherein said virtual address is a virtual Internet Protocol (IP) address (Dobbins, column 10, lines 6-44).

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**Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor  
Examiner  
Art Unit 2141

  
JASON CARDONE  
SUPERVISORY PATENT EXAMINER